

JAP:AS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

FEDERICO ANTONIO FRANCO,

15-221

C O M P L A I N T  
(T. 21, USC §§ 952(a)  
and 960)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

DMITRIY IOFFE, being duly sworn, deposes and says that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about March 9, 2015, within the Eastern District of New York and elsewhere, the defendant FEDERICO ANTONIO FRANCO did knowingly and intentionally import a controlled substance into the United States from a place outside thereof, which offense involved a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960)

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. On or about March 9, 2015, the defendant FEDERICO ANTONIO FRANCO arrived at John F. Kennedy International Airport in Queens, New York, aboard Delta Flight No. 500 from Santo Domingo, Dominican Republic.

2. Customs and Border Protection (“CBP”) officers selected the defendant FEDERICO ANTONIO FRANCO for a Customs and Border Protection examination. He submitted two suitcases for inspection. During the examination of the suitcase, CBP officers noticed that the sides of the suitcase felt unusually thick. Upon further examination, CBP officers discovered that the suitcase had hidden side compartments, which they probed, revealing a white powdery substance. The substance was later tested positive for cocaine during a field test. The defendant FEDERICO ANTONIO FRANCO was then arrested.

3. A total of approximately 2,745.1 grams of cocaine (gross weight) was seized from the defendant FEDERICO ANTONIO FRANCO.

4. HSI agents then interviewed the defendant FEDERICO ANTONIO FRANCO. Before the interview, the defendant FEDERICO ANTONIO FRANCO was advised of his Miranda rights in Spanish. The defendant stated that he understood his rights, and he waived his rights and agreed to speak with law enforcement agents without an attorney present. The defendant then stated, in sum and substance and in part, that he knew he had been bringing a controlled substance into the United States, and that he was promised to be paid \$5,000.

WHEREFORE, your deponent respectfully requests that the defendant  
FEDERICO ANTONIO FRANCO be dealt with according to law.

  
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DMITRIY IOFFE  
Special Agent  
Homeland Security Investigations

Sworn to before me this  
10th day of March, 2015

THE HONORABLE CHARLES E. STONE, JR.  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK